

***Draft* ADEM Guidance**

Proposed Additions to the Alabama UST Regulations

You may have heard about upcoming changes to the underground storage tank regulations (UST regulations). On October 13, 2015 EPA finalized the first significant changes to the federal UST regulations since 1988. All states will have to update their UST regulations to be “no less protective” than EPA’s regulations.

EPA requires states to implement two of these changes immediately when a state’s regulations are final (the requirement to demonstrate UST components are compatible w/ certain biofuels and the prohibiting of ball float valves from being used in new installations or replacements), and is allowing states to delay implementation of the other changes until October 13, 2018. Alabama’s UST regulations are expected to be final later in 2017. Alabama’s proposed regulations will be equivalent to the EPA requirements.

Alabama has already made many of the required changes to its regulations as required earlier by the Energy Policy Act of 2005. These include secondary containment for newly installed UST systems, spill basin testing, delivery prohibition, and operator training. There will be only very minor changes relative to these existing rules.

The most significant proposed additions to the Alabama regulations are outlined below.

If you have any questions about these proposed regulations, or any other questions about the proposed revisions to the regulations please contact us at 334 270-5655.

Walkthrough Inspections

By October 13, 2018, owners and operators must conduct walkthrough inspections at their UST facility. The walkthrough inspection must meet the following:

Monthly Walkthrough Inspections

Every 30 days, check your spill prevention equipment and release detection equipment. When conducting the monthly walkthrough inspection, check the following:

- **Spill prevention equipment**
 - Check for damage.
 - Remove any liquid or debris.
 - Check for and remove any obstructions in the fill pipe.
 - Check the fill cap to make sure it is securely on the fill pipe.
 - If you have double walled spill prevention equipment with interstitial monitoring check for a leak in the interstitial space. *Note – if you have double walled spill prevention equipment and maintain records of checking for leaks in the spill prevention equipment interstitial areas every month, you are not required to test them every three years.*
- **Release detection equipment**
 - Ensure it is operating with no alarms or other unusual operating conditions present.
 - Ensure records of release detection testing are reviewed, passing and current.

Annual Walkthrough Inspections

Annually, check your containment sumps and any hand held release detection equipment. When conducting the annual walkthrough inspection, check the following:

- **Containment sumps** (submersible pump, intermediate, under dispenser)
 - Visually check for damage, leaks into the containment area, or releases to the environment.
 - Remove any liquid or debris.
 - For double walled containment sumps with interstitial monitoring, check for a leak in the interstitial area.
- **Hand held release detection equipment** (for example tank gauge sticks or groundwater bailers)
 - Check for operability and serviceability.

Owners and operators must maintain the most recent walkthrough inspection records for one year after the date of the inspection. Records need to include a list of each area checked, whether each area checked was acceptable or needed action taken, and a description of any actions taken to correct issues.

Overfill Prevention Equipment Inspections

Beginning on October 13, 2018 owners and operators must have their overfill prevention equipment inspected for proper operation at least once every three years. When inspecting, owners and operators must, at a minimum, ensure the overfill prevention equipment is set to activate at the correct level in the tank (the level depends on the type of overfill device) and will activate when regulated substances reach that level.

If an overfill device fails the inspection it must be repaired or replaced. *Note – vent restriction overfill devices (ball float valves) may not be installed for new installations or repairs after the effective date of ADEM's new regulations.*

Owners and operators must maintain records of overfill prevention equipment inspections for at least three years.

Containment Sump Testing

By October 13, 2018, owners and operators must meet one of the following options for containment sumps used for piping interstitial monitoring:

Option 1: Containment sumps used for interstitial monitoring of piping are tested at least once every three years. The test must determine the equipment is liquid tight by using either vacuum, pressure, or liquid testing. *Note - ADEM has developed a low liquid level test method that may be used if the sump sensor is permanently mounted at the lowest level in the sump, and when activated, will shut off the submersible pump. The test method is described in the ADEM guidance Document titled "Low Level Hydrostatic Integrity Test for UST Containment Sumps."*

Option 2: Containment sump equipment is double walled and the integrity of both walls is monitored annually in accordance with the walkthrough inspection requirements discussed above. If owners and operators discontinue this periodic monitoring, they have 30 days to conduct the test described in Option 1 above.

ADEM form must be used to record results.

Owners and operators must maintain records of containment sump testing for at least three years. For containment sumps used for interstitial monitoring of piping not tested every three years, owners and operators must maintain documentation showing the equipment is double walled and the integrity of both walls is monitored annually in accordance with the walkthrough inspection recordkeeping requirements discussed above. (Option 2).

Release Detection Equipment Testing

By October 13, 2018, owners and operators must test electronic and mechanical components of their release detection equipment for proper operation at least annually. When testing, check the following:

- **Automatic tank gauge and other controllers**
 - Test the alarm.
 - Verify the system configuration.
 - Test the battery backup.
- **Probes and sensors**
 - Inspect for residual buildup.
 - Ensure any floats move freely.
 - Ensure any shafts are not damaged.
 - Ensure the cables are free of kinks and breaks.
 - Test the alarm operability and communication with the controller.
 - Ensure probes and sensors are positioned properly.
- **Automatic line leak detector**
 - Test operation to ensure the device activates (alarms, restricts flow, or shuts off flow) within an hour when simulating a release equivalent to 3 gallons per hour at 10 pounds per square inch. This includes mechanical and electronic line leak detectors, and sensors designed to shut off the submersed pump.
- **Vacuum pumps and pressure gauges –**
 - Ensure there is proper communication with sensors and the controller.
- **Hand-held electronic sampling equipment associated with groundwater and vapor monitoring**
 - Ensure the device is calibrated and operates properly.

ADEM form must be used to record results.

Owners and operators must maintain records of release detection equipment testing for at least three years. The record must include each component tested, whether each component passed the test or needed to have action taken, and any action taken to correct an issue.

Compatibility Demonstration

Beginning immediately after Alabama's UST regulations become effective, owners and operators storing gasoline containing greater than 10 percent ethanol or diesel containing greater than 20 percent biodiesel must demonstrate compatibility of each component of the UST system (this includes the tank, piping, containment sumps, pumping equipment, release detection equipment, spill equipment, and overfill equipment) by using one of the following options:

- Certification or listing of UST system equipment or components by Underwriters Laboratories (UL) or other nationally recognized, independent testing laboratory for use with the regulated substance stored, or
- Equipment or component manufacturer approval – this approval must be in writing, indicate an affirmative statement of compatibility, specify the range of biofuel blends the equipment or component is compatible with, and be from the equipment or component manufacturer.

In addition, owners and operators must notify ADEM at least 30 days prior to switching to regulated substances containing greater than 10 percent ethanol or greater than 20 percent biodiesel, and must maintain the records that document compliance with the compatibility requirement if they store either of these substances. These records must be maintained for as long as the UST system is used to store one of these regulated substances.

Additional information about the compatibility requirement for UST systems storing gasoline containing greater than 10 percent ethanol or diesel containing greater than 20 percent biodiesel may be found at the following EPA website links:

<https://www.epa.gov/ust/guidance-compatibility-ust-systems-ethanol-blends-greater-10-percent-and-biodiesel-blends>

<https://www.epa.gov/ust/biofuels-compatibility-resources>